

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

COPPER MOON COFFEE, LLC.)	CASE NO. 1:24-CV-01910
)	
Plaintiff,)	JUDGE BRIDGET MEEHAN BRENNAN
)	
v.)	DEFENDANT'S MOTION TO
)	FILE LEAVE TO PLEAD OUT
ORLANDO COFFEE COMPANY, LLC)	OF TIME
DbA THE COPPER MOON)	
Defendant.)	

Now comes Defendant Orlando Coffee Company, LLC, by and through attorney Paul Knott, and hereby respectfully moves this Honorable Court to file out of time its motion seeking a thirty (30) day leave, until January 30, 2025, in which to plead or otherwise answer Plaintiff's complaint.

Plaintiff's complaint was filed on October 31, 2024. The undersigned waived service of summons which was filed on or about December 19, 2024. Accordingly, Defendant's answer was due on or before December 31, 2024.

The undersigned spoke with counsel for Plaintiff at which time the parties discussed moving for a thirty (30) day leave to plead so that the parties could explore a possible resolution prior to incurring additional litigation costs. Due to the holidays and the press of business, the undersigned inadvertently neglected to file the motion for leave to plead. Counsel for Defendant alerted the undersigned to the omission on the evening of January 3, 2025.

Defendant is requesting a thirty (30) day leave to plead, until January 30, 2025. The reasons for the leave are that the undersigned was only recently retained and is still gathering information pertaining to the claims and has multiple briefs due at the beginning of the year in other pending matters, including briefs in opposition to summary judgment due in the matters of *Aledany v. Board of Park Commissioners of the Cleveland Metroparks*, Cuyahoga County Court

of Common Pleas Case Number CV-24-997448 on January 6, 2025 and *Hopkins v. Greater Cleveland Regional Transit Authority*, Cuyahoga County Court of Common Pleas Case Number CV-22-972339 on January 10, 2025. Additionally, the parties are trying to schedule a telephone conference prior to the answer date to explore the possibility of an early resolution of the within matter.

The within motion is not intended to unnecessarily delay these proceedings, is in the interest of justice and will not unfairly prejudice any party.

Plaintiff has no objection to the within motion.

WHEREFORE, Defendant respectfully moves this Honorable Court to file out of time its motion seeking leave to plead, until January 30, 2025, to Plaintiff's complaint.

Respectfully submitted,

/s/ Paul Knott

PAUL KNOTT - #0059727
The IMG Center
1360 East 9th Street, Suite 910
Cleveland, Ohio 44114
216-589-0907 office
216-589-0907 facsimile
pknott@knottlawoffice.com

Attorney for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing has been sent via electronic mail on this 6th day of January, 2025 on the following:

VIA EMAIL zschaengold@rkpt.com

Zachary C. Schaengold, Esq.
Robbins, Kelly, Patterson & Tucker, LPA
312 Elm Street, Suite 2200
Cincinnati, Ohio 45202

VIA EMAIL spencer.tanner@gutweinlaw.com

Spencer Tanner, Esq.
Gutwein Law
300 N. Meridian Street, Suite 1650
Indianapolis, IN 46204

Attorneys for Plaintiff

/s/ Paul Knott

PAUL KNOTT - #0059727

Attorney for Defendant

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NORTHERN DISTRICT OF OHIO

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)	
Plaintiff,)	JUDGE BRIDGET MEEHAN BRENNAN
)	
v.)	
)	
ORLANDO COFFEE COMPANY, LLC)	PROPOSED ORDER
Dbas THE COPPER MOON)	
)	
Defendant.)	

Upon consideration of Defendant's Unopposed Motion to File Leave to Plead Out of Time,
IT IS HEREBY ORDERED that Defendant shall be granted leave until January 30, 2025, to plead
or otherwise answer Plaintiff's Complaint.

JUDGE BRIDGET MEEHAN BRENNAN